

**WOOD RIVER VALLEY IRRIGATION DISTRICT 45**

P.O. Box 108, Bellevue, Idaho 83313

April 21, 2009

RECEIVED  
MAY 20 2009  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

We believe it would be helpful this spring to keep in mind the rules and procedures for the use of the waters of the state of Idaho in the Wood River Valley.

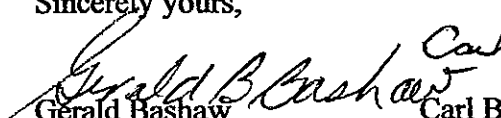
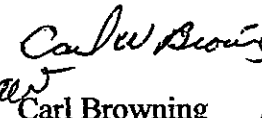

District 37&37M distributes the water out of the Big Wood River and Silver Creek.

District 45 is charged with the distribution of water received in its canal system in accordance with the water rights of its members.

District 45 was founded in 1915. Its boundaries reach from just south of Bellevue to south of Highway 20 and from west of the Big Wood River to east of the Gannett Road.

1. Any diversion of water from the Big Wood River from Galena south requires a water right. Based on the priority date of the right a diversion is illegal if it causes injury (less water) to senior rights held by our 110 customers and others.
2. Any tampering or interfering with head gates on the Big Wood River or the associated canal system without written permission from the Idaho Department of Water Resources, District 37&37M or District 45, is illegal.
3. District 45 is governed by Title 43 of the Idaho State Statutes in addition to the Blaine County Code (10-5-1.F.1.d and 10-5-3.F.2)
4. IDWR and District 37 & 37M are governed by Title 42 of the Idaho State Statutes.
5. District 45 receives notice from IDWR and District 37&37M of proposed transfers, divisions or changes north of Magic Reservoir to Galena to assess potential impacts to its delivery of water to its customers.
6. District 45 requests notification by the Cities and County of any new subdivision application. Pursuant to 67-6537(2) any change in use must be approved by the relevant irrigation district. (also Title 31-3805)
7. In addition to city and county officials we are addressing this letter to engineers, planners and managers and suggesting that the early involvement of, and approval by, the Water District in the planning process will be advantageous to the process when changes in water are planned.

Sincerely yours,

  
Gerald Bashaw  
  
Carl Browning  
  
John Fell Stevenson  
Wood River Valley Irrigation District 45, Board of Directors

cc: Al Barker, Barker, Rosholt & Simpson LLP.

16. **BE IT RESOLVED** the constituents of Water Districts 37 & 37M direct the Watermaster and Advisory Board members to collaborate with officials of the Idaho Department of Water Resources in establishing the authority of Water Districts 37 & 37M in regulating and monitoring all ground water diversions within Water Districts 37 & 37M excepting groundwater currently regulated in Water District 130.